

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|--------------------------|---|------------------------------|
| In re application of: |) | Confirmation No.: 4424 |
| Brian Leslie Smalley |) | Art Unit: 3651 |
| Serial No.: 10/523,887 |) | Examiner: Collins, Michael |
| Filed: September 6, 2005 |) | |
| For: DISPENSING PACKAGE |) | Attorney Docket: R031 1160.1 |

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant requests that the Examiner initial and return a copy of the enclosed Form PTO/SB/08A to indicate in the official file wrapper that each item has been considered.

The following summarizes the status of copies of listed information provided with the instant Information Disclosure Statement:

- a copy of Item A is not attached hereto;
- copies of Items B and C are attached hereto.

Item B is not in the English language. Item A is the U.S. counterpart to Item B.

The references listed on the attached Form PTO/SB/08A are being submitted at this time because they were only recently brought to our attention as a result of foreign prosecution; and a certification, as specified in paragraph (e) of 37 CFR 1.97, is enclosed herewith.

Applicant reserves the right to establish the patentability of the claimed invention over any of the cited information and/or to prove that any purported teaching of the cited information is not enabled. Applicant also reserves the right to assert that the cited information is not available as a reference, is not prior art, and/or is not "material" to patentability. Applicant further reserves the right to assert that this citation of information does not constitute an

admission of priority and/or does not constitute a waiver of any right Applicant may have under applicable statutes, Rules of Practice in patent cases, or otherwise.

This citation of information should not be construed as an admission that Applicant has an obligation to provide this information in the present application or as a representation that an exhaustive search has been made, that the information disclosed is material, that the information disclosed is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102, or that information more material to the examination of this Application does not exist. The order of presentation of information on the attached Form PTO/SB/08A should not be construed as an indication of importance of the references. Applicant requests that the Examiner conduct an independent and thorough search and examination of all pertinent art, and consider completely the information disclosed hereby, along with any other information, in reaching a determination of patentability.

The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to account no. 09-0528.

Respectfully submitted,

6/4/08

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37 CFR 1.97(e) CERTIFICATION

Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

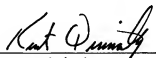
Sir:

This certification is being submitted, in accordance with 37 CFR 1.97, with the Information Disclosure Statement enclosed herewith. Each reference cited by the Information Disclosure Statement was cited in a communication from a foreign patent office regarding a related foreign application. The communication from the foreign patent office was not received more than three months prior to the submittal of this certification.

Respectfully submitted,

6/4/08

Date



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